

**AMENDMENTS TO THE CLAIMS:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

**LISTING OF CLAIMS:**

1. - 24. (Canceled)

25. (Currently Amended) A ballpoint pen using a water-based ink composition comprising at least a colorant, water and 0.1 to 30 % by weight of N-polyoxyalkylenepolyalkylenepolyamine having an average molecular weight of 20,000 to 80,000 and having an HLB of 8 or more or a cloud point of 50°C or higher and which contains a non-Newtonian viscosity-providing agent and has a viscosity of 100 to 4000 mPa·s at a shear speed of 3.84s<sup>-1</sup>.

26. - 30. (Canceled)

31. (Currently Amended) The ballpoint pen as described in claim 25, wherein ~~N-polyoxyalkylenepolyalkylamine~~ N-polyoxyalkylenepolyalkylenepolyamine has an average molecular weight of ~~50000 to 80000~~ 50,000 to 80,000.

32. (Canceled)

33. (Canceled)

34. (Currently Amended) A ballpoint pen using a water-based ink composition which comprises at least a colorant, water and 0.1 to 30 % by weight of N-polyoxyethylenepolyoxypropylene block polymer having an average molecular weight of ~~3000 to 200000~~ 20,000 to 80,000 and having an HLB of 8 or more or a cloud point of 50°C or higher and which contains a non-Newtonian viscosity-providing agent and has a viscosity of 100 to 4000 mPa·s at a shear speed of  $3.84\text{s}^{-1}$ .